

Senate Concurrent Resolution No. 16

RESOLUTION CHAPTER 15

Senate Concurrent Resolution No. 16—Relative to the Joint Legislative Committee on Prison Construction and Operations.

[Filed with Secretary of State April 1, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

SCR 16, Polanco. Joint Legislative Committee on Prison Construction and Operations.

This measure would reestablish until June 30, 1998, the Joint Legislative Committee on Prison Construction and Operations, to have primary responsibility for providing legislative scrutiny over prison construction and operations.

WHEREAS, Public safety is a primary function and consideration of government. As evidenced by the overwhelming support for Proposition 184, the "Three Strikes Initiative" on the November 8, 1994, ballot, the people of the State of California are demanding that violent, serious, and repeat felons be incarcerated with longer sentences; and

WHEREAS, As a result of the passage of Proposition 184 and the recent enactment of other laws, the inmate population of the state prison system is projected to increase by unprecedented numbers. Upon completion of current authorized new prison construction projects, the Department of Corrections will be operating 34 state adult correctional facilities. In addition, the Department of the Youth Authority currently operates 11 state youth correctional facilities; and

WHEREAS, As evidenced by the recent defeat of Proposition 205, the "Youthful and Adult Offender Local Facilities Bond Act of 1996" on the November 5, 1996, ballot, the people of the State of California are unwilling to support financially the expansion of correctional facilities. Californians are demanding greater fiscal accountability for the operation of correctional facilities; and

WHEREAS, The most recent five-year facilities master plan by the Department of Corrections identifies a need for six new state prisons and one inmate conservation camp with the capacity to house approximately 27,600 additional felons. The total cost for these proposed projects is approximately one billion seven hundred million dollars (\$1,700,000,000). This amount does not include the financing costs, which would roughly double the total final cost; and

WHEREAS, Controlling the rapid growth of corrections construction and operations costs is one of the greatest challenges

facing this state. The total proposed budget for the Department of Corrections for the 1997–98 fiscal year is approximately three billion eight hundred million dollars (\$3,800,000,000); and

WHEREAS, Although the Legislature first created the Joint Committee on Prison Construction and Operations by statute in 1982, and has reauthorized the committee several times, the committee was statutorily repealed on January 1, 1995. As of that date, the Senate created the Criminal Procedure Subcommittee on Prison Construction and Operations to continue to provide specific legislative oversight; and

WHEREAS, Section 7003 of the Penal Code requires the Department of Corrections to provide the Joint Legislative Committee on Prison Construction and Operations with the new prison site plans, project planning guide, and preliminary staffing ratios at least 30 days prior to submission of those plans to the State Public Works Board. Similarly, Section 7003.5 of the Penal Code requires the department to report to that committee biannually on areas being considered for new prison sites, the size of each facility planned, financing, and how each proposed site fits into the department's overall master plan; and

WHEREAS, In order to provide for joint legislative oversight of the state's fastest growing segment of government, and to ensure a sense of fiscal responsibility to the people of California, it is vital that the Legislature permanently reestablish the Joint Legislative Committee on Prison Construction and Operations; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Joint Legislative Committee on Prison Construction and Operations is hereby created. The committee shall assume primary responsibility for providing legislative scrutiny over prison construction and operations; and be it further

Resolved, That the committee shall also investigate and make recommendations on inmate population management issues as they affect problems of overcrowding, recidivism, and successful return to society by inmates; and be it further

Resolved, That the committee shall consist of three Members of the Senate appointed by the Senate Committee on Rules, and three Members of the Assembly appointed by the Speaker of the Assembly. A Member of the Senate shall chair the committee. The chairperson shall appoint staff persons who shall be authorized to inspect prison facilities and departmental documents, except as otherwise provided by law; and be it further

Resolved, That the committee and its members shall have all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to this committee and its members; and be it further

Resolved, That the Senate Committee on Rules may make money available from the Senate Operating Fund as it deems necessary for the expenses of the Joint Legislative Committee on Prison Construction and Operations and its members. Any expenditure of money shall be made in compliance with policies set forth by the Senate Committee on Rules and shall be subject to the approval of the Senate Committee on Rules; and be it further

Resolved, That the Joint Legislative Committee on Prison Construction and Operations shall, within 15 days of authorization and consistent with the normal annual appropriations process for funding legislative committees, present its initial budget to the Senate Committee on Rules for its review, comment, and approval; and be it further

Resolved, That the Joint Legislative Committee on Prison Construction and Operations shall submit a report at the end of each legislative session to the Legislature on its activities; and be it further

Resolved, That the Joint Legislative Committee on Prison Construction and Operations is authorized to act until June 30, 1998, at which time the committee's existence shall terminate.

Resolved, That the Secretary of the Senate transmit a suitably prepared copy of this resolution to the author for appropriate distribution.

